

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN**REMARKS**

The following remarks are made in response to the Final Office Action mailed September 22, 2005. In that Office Action, the Examiner's indication that claim 3, although rejected as being dependent upon a rejected base claim, would be deemed allowable if rewritten in independent form, is noted with appreciation. Claims 1-20 were rejected under 35 U.S.C. §102(e) as being anticipated by O'Leary et al., U.S. Patent Publication No. 2002/0180498 ("O'Leary").

With this Response, Applicant respectfully traverses the Examiner's rejection of claims 1, 2, and 4-20. Claims 1-20 remain pending in the application and are presented for reconsideration and allowance.

35 U.S.C. §102 Rejections

The Examiner rejected claims 1, 2, and 4-20 under 35 U.S.C. §102(e) as being anticipated by O'Leary et al., U.S. Patent Application Publication No. 2002/0180498 ("O'Leary"). Independent claim 1 is directed to a server system and recites "a plurality of host processor cards for providing management LAN communications separated from payload LAN communications", "a first card coupled to the plurality of host processor cards and coupled to a payload LAN, the plurality of host processor cards configured to provide payload LAN communications through the first card", and "a second card coupled to the plurality of host processor cards and coupled to a management LAN, the plurality of host processor cards configured to provide management LAN communications with the management LAN through the second card."

With respect to independent claims 1, 12, and 18, the Examiner stated that O'Leary teaches a server system and method comprising:

a plurality of host processor cards for providing management LAN communications separated from payload LAN communications (§¶0057);

a first card coupled to the plurality of host processor cards and coupled to a payload LAN, the plurality of host processor cards configured to provide payload LAN communications (sic) through the first card (§¶0057); and

a second card coupled to the plurality of host processor cards and coupled to a management LAN, the plurality of host processor cards configured to provide management LAN communications with the

Response under 37 C.F.R. 1.116

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Docket No.: 10012199-1

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management LAN through the second card (¶¶0057). (Final Office Action at para. no. 3, pages 2-3).

O'Leary is directed to a phase locked loop. (See, e.g., O'Leary at Title and Abstract). O'Leary indicates that the phase locked loop is suitable for use in timing circuits of communication systems (Abstract), and in Figure 6, shows a "network element 600" having a timing circuit with the phase locked loop. (See, e.g., O'Leary at para. no. 0057). The network element 600 shown in Figure 6 is described in paragraph 0057 of O'Leary, which is the only portion of O'Leary cited by the Examiner as allegedly teaching or suggesting each and every limitation of all of the rejected claims. The network element 600 of O'Leary includes various cards and controllers that are connected via a backplane 634. (O'Leary at Figure 6 and para. no. 0057). O'Leary indicates that the cards communicate with one of the redundant ring interface cards 626, which can be coupled to a network as shown in Figures 7 and 8 of O'Leary. (O'Leary at para. no. 0057, and Figures 6, 7, and 8).

The Examiner has not identified any cards in network element 600 that allegedly correspond to the host processor cards recited in independent claim 1. There is no teaching or suggestion in O'Leary that any of the cards in the network element 600 are host processor cards, let alone host processor cards that provide management LAN communications separated from payload LAN communications.

The Examiner has not identified any cards in network element 600 that allegedly correspond to the "first card" or the "second card" recited in independent claim 1. O'Leary does not teach or suggest a first card coupled to a plurality of host processor cards and coupled to a payload LAN, and a second card coupled to a plurality of host processor cards and coupled to a management LAN. Rather, O'Leary indicates that the cards in network element 600 communicate with one of the redundant ring interface cards 626, which can be coupled to a network as shown in Figures 7 and 8 of O'Leary. (O'Leary at para. no. 0057, and Figures 6, 7, and 8). Thus, O'Leary discloses that the network element 600 can be coupled to a **single** network (as shown in Figure 7 and 8) via the redundant ring interface cards 626. O'Leary does not teach or suggest separate management and payload LAN's, or segregating management and payload communications.

In view of the above, O'Leary does not teach or suggest each and every limitation of independent claim 1. Applicant respectfully requests removal of the rejection of claim 1

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

under 35 U.S.C. § 102(e), and requests reconsideration and allowance of this claim. Since dependent claims 2 and 4-11 further limit patentably distinct claim 1, claims 2 and 4-11 are believed to be allowable over the cited reference. Claims 2 and 4-11 are also further distinguishable over the cited reference, as addressed below.

Dependent claim 2 recites "wherein the first card is a LAN switch card." The Examiner has not identified any card in network element 600 that allegedly corresponds to the LAN switch card recited in dependent claim 2. O'Leary does not teach or suggest a LAN switch card coupled to a plurality of host processor cards and coupled to a payload LAN.

Dependent claim 4 recites "wherein the second card is a server management card." The Examiner has not identified any card in network element 600 that allegedly corresponds to the server management card recited in dependent claim 4. O'Leary does not teach or suggest a server management card coupled to a plurality of host processor cards and coupled to a management LAN.

Dependent claim 5 recites "wherein the server management card is configured to monitor operation of the server system." The Examiner has not identified any card in network element 600 that allegedly corresponds to the server management card recited in dependent claim 5. O'Leary does not teach or suggest a server management card configured to monitor operation of a server system.

Dependent claim 6 recites "wherein the server management card includes a management processor and a LAN switch, the LAN switch coupled to management connections of the host processor cards, and management connections of the management processor." The Examiner has not identified any card in network element 600 that allegedly corresponds to the server management card recited in dependent claim 6. O'Leary does not teach or suggest a server management card including a management processor and a LAN switch, the LAN switch coupled to management connections of host processor cards, and management connections of the management processor.

Dependent claim 7 recites "a backplane for connecting the plurality of host processor cards to the first card and the server management card." The Examiner has not identified any cards in network element 600 that allegedly correspond to the host processor cards, the first card, or the server management card, recited in dependent claim 7. O'Leary does not teach or

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

suggest a plurality of host processor cards connected to a first card and a server management card via a backplane.

Dependent claim 8 recites "wherein the plurality of host processor cards are configured to communicate status information to the server management card via at least one I²C bus routed through the backplane." The Examiner has not identified any cards in network element 600 that allegedly correspond to the host processor cards or the server management card recited in dependent claim 8, nor has the Examiner identified any disclosure in O'Leary regarding an I²C bus. O'Leary does not teach or suggest a plurality of host processor cards configured to communicate status information to a server management card via at least one I²C bus routed through a backplane.

Dependent claim 9 recites "a third card coupled to the plurality of host processor cards and coupled to a software event manager, the host processor cards configured to transmit software events through the third card to the software event manager." The Examiner has not identified any cards in network element 600 that allegedly correspond to the third card or the host processor cards recited in dependent claim 9, nor has the Examiner identified any disclosure in O'Leary regarding a software event manager or software events. O'Leary does not teach or suggest a third card coupled to a plurality of host processor cards and coupled to a software event manager, the host processor cards configured to transmit software events through the third card to the software event manager.

Dependent claim 10 recites "wherein the third card is a LAN switch card." The Examiner has not identified any card in network element 600 that allegedly corresponds to the LAN switch card recited in dependent claim 10. O'Leary does not teach or suggest a LAN switch card coupled to a plurality of host processor cards and coupled to a software event manager.

Dependent claim 11 recites "wherein the plurality of host processor cards are configured to transmit hardware events to the second card." The Examiner has not identified any cards in network element 600 that allegedly correspond to the second card or the host processor cards recited in dependent claim 11, nor has the Examiner identified any disclosure in O'Leary regarding the transmission of hardware events. O'Leary does not teach or suggest a plurality of host processor cards configured to transmit hardware events to a second card.

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

Since dependent claims 2 and 4-11 further limit patentably distinct claim 1, and are further distinguishable over the cited reference, claims 2 and 4-11 are believed to be allowable over the cited reference. Reconsideration and allowance of claims 2 and 4-11 are respectfully requested.

Independent claim 12 is directed to a method of providing physically separate management LAN communications and payload LAN communications for a server system, and recites "providing a plurality of host processor cards for providing management LAN communications and payload LAN communications", "routing management LAN communications from the plurality of host processor cards through a server management card", "routing management LAN communications from the server management card to a management LAN", "routing payload LAN communications from the plurality of host processor cards through a first LAN switch", and "routing payload LAN communications from the first LAN switch to a payload LAN."

The Examiner has not identified any cards in network element 600 that allegedly correspond to the host processor cards recited in independent claim 12. There is no teaching or suggestion in O'Leary that any of the cards in the network element 600 are host processor cards that provide management LAN communications and payload LAN communications.

The Examiner has not identified any cards in network element 600 that allegedly correspond to the server management card or the first LAN switch recited in independent claim 12, nor has the Examiner identified any disclosure regarding separate management and payload LANs. O'Leary does not teach or suggest "routing management LAN communications from the plurality of host processor cards through a server management card", "routing management LAN communications from the server management card to a management LAN", "routing payload LAN communications from the plurality of host processor cards through a first LAN switch", or "routing payload LAN communications from the first LAN switch to a payload LAN." Rather, O'Leary indicates that the cards in network element 600 communicate with one of the redundant ring interface cards 626, which can be coupled to a network as shown in Figures 7 and 8 of O'Leary. (O'Leary at para. no. 0057, and Figures 6, 7, and 8). Thus, O'Leary discloses that the network element 600 can be coupled to a single network (as shown in Figure 7 and 8) via the redundant ring interface

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

cards 626. O'Leary does not teach or suggest separate management and payload LAN's, or segregating management and payload communications.

In view of the above, O'Leary does not teach or suggest each and every limitation of independent claim 12. Applicant respectfully requests removal of the rejection of claim 12 under 35 U.S.C. § 102(e), and requests reconsideration and allowance of this claim. Since dependent claims 13-17 further limit patentably distinct claim 12, claims 13-17 are believed to be allowable over the cited reference. Claims 13-17 are also further distinguishable over the cited reference, as addressed below.

Dependent claim 13 recites "wherein the server management card is configured to monitor operation of the server system." The Examiner has not identified any card in network element 600 that allegedly corresponds to the server management card recited in dependent claim 13. O'Leary does not teach or suggest a server management card configured to monitor operation of a server system.

Dependent claim 14 recites "wherein the server management card includes a management processor and a LAN switch, the method further comprising: routing management communications from the plurality of host processor cards and the management processor through the LAN switch of the server management card to the management LAN." The Examiner has not identified any card in network element 600 that allegedly corresponds to the server management card recited in dependent claim 14. O'Leary does not teach or suggest a server management card including a management processor and a LAN switch, the LAN switch coupled to management connections of host processor cards. O'Leary does not teach or suggest routing management communications from the plurality of host processor cards and the management processor through the LAN switch of the server management card to the management LAN.

Dependent claim 15 recites "transmitting status information from the plurality of host processor cards to the server management card via at least one I²C bus routed through a backplane of the server system." The Examiner has not identified any cards in network element 600 that allegedly correspond to the host processor cards or the server management card recited in dependent claim 15, nor has the Examiner identified any disclosure in O'Leary regarding an I²C bus. O'Leary does not teach or suggest transmitting status information from

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

a plurality of host processor cards to a server management card via at least one I²C bus routed through a backplane of a server system.

Dependent claim 16 recites "transmitting software events from the plurality of host processor cards through a second LAN switch to a software event manager." The Examiner has not identified any cards in network element 600 that allegedly correspond to the host processor cards or the second LAN switch recited in dependent claim 16, nor has the Examiner identified any disclosure in O'Leary regarding a software event manager or software events. O'Leary does not teach or suggest transmitting software events from a plurality of host processor cards through a second LAN switch to a software event manager.

Dependent claim 17 recites "transmitting hardware events from the plurality of host processor cards through the server management card to a hardware event manager." The Examiner has not identified any cards in network element 600 that allegedly correspond to the server management card or the host processor cards recited in dependent claim 17, nor has the Examiner identified any disclosure in O'Leary regarding a hardware event manager or the transmission of hardware events. O'Leary does not teach or suggest transmitting hardware events from a plurality of host processor cards through a server management card to a hardware event manager.

Since dependent claims 13-17 further limit patentably distinct claim 12, and are further distinguishable over the cited reference, claims 13-17 are believed to be allowable over the cited reference. Reconsideration and allowance of claims 13-17 are respectfully requested.

Independent claim 18 is directed to a server system and recites "a backplane", "a plurality of host processor cards coupled to the backplane", "a LAN switch card coupled to the plurality of host processor cards through the backplane and coupled to a payload LAN, the plurality of host processor cards configured to provide payload LAN communications through the LAN switch card", and "a server management card coupled to the plurality of host processor cards through the backplane and coupled to a management LAN, the plurality of host processor cards configured to provide management LAN communications with the management LAN through the server management card."

The Examiner has not identified any cards in network element 600 that allegedly correspond to the host processor cards recited in independent claim 18. There is no teaching

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

or suggestion in O'Leary that any of the cards in the network element 600 are host processor cards that provide management LAN communications and payload LAN communications.

The Examiner has not identified any cards in network element 600 that allegedly correspond to the server management card or the LAN switch card recited in independent claim 18, nor has the Examiner identified any disclosure regarding separate management and payload LANs. O'Leary does not teach or suggest "a LAN switch card coupled to the plurality of host processor cards through the backplane and coupled to a payload LAN, the plurality of host processor cards configured to provide payload LAN communications through the LAN switch card", and "a server management card coupled to the plurality of host processor cards through the backplane and coupled to a management LAN, the plurality of host processor cards configured to provide management LAN communications with the management LAN through the server management card." Rather, O'Leary indicates that the cards in network element 600 communicate with one of the redundant ring interface cards 626, which can be coupled to a network as shown in Figures 7 and 8 of O'Leary. (O'Leary at para. no. 0057, and Figures 6, 7, and 8). Thus, O'Leary discloses that the network element 600 can be coupled to a single network (as shown in Figure 7 and 8) via the redundant ring interface cards 626. O'Leary does not teach or suggest separate management and payload LAN's, or segregating management and payload communications.

In view of the above, O'Leary does not teach or suggest each and every limitation of independent claim 18. Applicant respectfully requests removal of the rejection of claim 18 under 35 U.S.C. § 102(e), and requests reconsideration and allowance of this claim. Since dependent claims 19 and 20 further limit patentably distinct claim 18, claims 19 and 20 are believed to be allowable over the cited reference. Claims 19 and 20 are also further distinguishable over the cited reference, as addressed below.

Dependent claim 19 recites "a second LAN switch card coupled to the plurality of host processor cards through the backplane and coupled to a software event manager, the host processor cards configured to transmit software events through the second LAN switch card to the software event manager." The Examiner has not identified any cards in network element 600 that allegedly correspond to the host processor cards or the second LAN switch card recited in dependent claim 19, nor has the Examiner identified any disclosure in O'Leary regarding a software event manager or software events. O'Leary does not teach or suggest a

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

second LAN switch card coupled to a plurality of host processor cards through a backplane and coupled to a software event manager, the host processor cards configured to transmit software events through the second LAN switch card to the software event manager.

Dependent claim 20 recites "wherein the plurality of host processor cards are configured to transmit hardware events to the server management card." The Examiner has not identified any cards in network element 600 that allegedly correspond to the server management card or the host processor cards recited in dependent claim 20, nor has the Examiner identified any disclosure in O'Leary regarding the transmission of hardware events. O'Leary does not teach or suggest a plurality of host processor cards configured to transmit hardware events to a server management card.

Since dependent claims 19 and 20 further limit patentably distinct claim 18, and are further distinguishable over the cited reference, claims 19 and 20 are believed to be allowable over the cited reference. Reconsideration and allowance of claims 19 and 20 are respectfully requested.

Examiner's Response to Arguments

In reply to Applicant's previously filed Response, the Examiner stated the following:

The examiner respectfully disagrees with the applicants reading of the prior art. O'Leary teaches a plurality of network cards comprising a network management interface card (NMIC) for network management communications, and shelf controller 622/624 and other network interface cards for payload LAN communications. See O'Leary, figure 6. It is clear from the description of figure 6 that network management communications are handled by the NMIC and payload communications are handled by the other cards of the system. (Final Office Action at para. no. 6, pages 3-4).

The Examiner's Response ignores most of the claim language, and does not identify any correspondence between the claim elements and the disclosure in O'Leary. For example, the Examiner has not even identified which cards in O'Leary, if any, allegedly correspond to the host processor cards recited in the independent claims. O'Leary does not teach or suggest separate management and payload LAN's, or segregating management LAN and payload LAN communications. Rather, O'Leary discloses that the network element 600 can be coupled to a single network (as shown in Figure 7 and 8) via the redundant ring interface cards 626. Thus, all network communications from network element 600 will be

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

commingled on this network (see, e.g., the Background of the Invention of the present application for a more detailed description of the problems associated with such commingling).

As addressed in detail above, O'Leary fails to teach or suggest numerous limitations of the claims, and reconsideration and allowance of all claims are respectfully requested.

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-20 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-20 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either David M. Mason at Telephone No. 408-447-4046, Facsimile No. 408-447-0854 or Jeff A. Holmen at Telephone No. (612) 573-0178, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Response under 37 C.F.R. 1.116

Applicant: Thane M. Larson et al.

Serial No.: 09/923,881

Filed: August 7, 2001

Docket No.: 10012199-1

Title: SERVER SYSTEM WITH SEGREGATED MANAGEMENT LAN AND PAYLOAD LAN

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Respectfully submitted,

Thane M. Larson et al.

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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via telefacsimile to Examiner Kang, Group Art Unit 2141, at Fax No. (571) 273-8300 on this 21st day of November, 2005.

By: Jeff A. Holmen

Name: Jeff A. Holmen